

REMARKS/ARGUMENTS

Claims 15, 17-22, and 29-32, and 34-50 and 58-59 are active. Non-elected method of treatment claims 51-57 have been cancelled. Claim 15 has been revised to omit ApoE and ApoE fragments. Claims 58-59 have been revised and claim 58 deletes the phrase “the general diagnosis”. Support for the amendment of these claims is found, for example, in the paragraph bridging pages 1-2. No new matter is believed to have been added. Favorable consideration of this amendment and allowance of this application are now respectfully requested.

Restriction/Election

The Applicants previously elected with traverse **Group I**, claims 15, 17-22, 29-32 and 34-50, directed to a method of prion detection involving apolipoprotein. The requirement has been made FINAL. The Applicants respectfully request that the claims of the nonelected group(s) which depend from or otherwise include all the limitations of an allowed elected claim, be rejoined upon an indication of allowability for the elected claim, see MPEP 821.04.

Rejection—35 U.S.C. §112, first and second paragraph

Claim 58 and 59 were rejected under 35 U.S.C. 112, first and second paragraphs, as being indefinite or as lacking adequate written description in the recitation of “the general diagnosis”. This rejection is moot in view of the amendment above.

Rejection—35 U.S.C. §103(a)

Claims 15, 17-20, 30, 35, 38, 40, 43-45 and 50 were rejected under 35 U.S.C. §103(a) as being unpatentable over Soto, et al., Trends Neurosci. 25:390, Baumann, et al., Biochem. J. 349:77, and Huang, et al., PNAS 98:8838, in further view of Clavey, et al., Annal. D;

Endocrinol. 459-463. The Applicants respectfully submit that this rejection is moot in view of the incorporation (without prejudice) of the limitations of the non-rejected claims into independent claims 15, 19, 20, 51 and 58.

Rejection—35 U.S.C. §103(a)

Claims 20, 44, 46, and 47 were rejected under 35 U.S.C. §103(a) as being unpatentable over Soto, et al., Trends Neurosci. 25:390, Baumann, et al., Biochem. J. 349:77, and Naslavsky, et al., JBC 272:6324, in further view of Clavey, et al., Annal. D; Endocrinol. 459-463. The Applicants respectfully submit that this rejection is moot in view of the incorporation (without prejudice) of the limitations of the non-rejected claims into independent claim 20.

Allowable Subject Matter

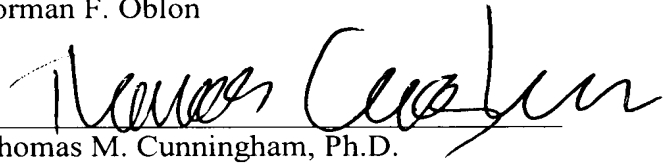
The Applicants thank Examiner Horning for indicating that the subject matter of claims 21, 22, 29, 31, 34, 36, 37, 39, 41, 42, 48, and 49 is allowable. In view of the amendments above, the Applicants respectfully submit that all of the claims are now in condition for allowance.

Conclusion

This application presents allowable subject matter and the Examiner is respectfully requested to pass it to issue. The Examiner is kindly invited to contact the undersigned should a further discussion of the issues or claims be helpful.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

A handwritten signature in black ink, appearing to read "Thomas M. Cunningham", is written over a horizontal line.

Thomas M. Cunningham, Ph.D.
Registration No. 45,394

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)